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March 12, 2008

The Honorable William H. Alsup
Judge, United States District Court
Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102

Re: United States v. Alvin Norman
CR-04-CR-0367 WHA

Your Honor:

I received notice that Mr. Norman filed a *pro se* motion for reduction of sentence under the amended crack guideline. Notice was forwarded to me because I am managing all of the retroactive crack cases in the Northern District.

Initially, I notified your clerk that the Federal Public Defender's Office would either represent Mr. Norman, or panel the case to Stuart Hanlon, who was Mr. Norman's original counsel. However, I have been informed that Mr. Norman was (a) sentenced to the 60 month mandatory minimum on the crack count, and (b) sentenced to a concurrent term of 66 months on a gun count. For both reasons, we do not believe that Mr. Norman is eligible for relief under the retroactive crack guideline.

The Federal Public Defender's Office would not normally represent a defendant or panel a case if the defendant has no legal avenue for relief. I am, of course, more than happy to file a brief summarizing our review of Mr. Norman's eligibility, and I can present legal authority on the issues raised in Mr. Norman's motion. In addition, the probation office has been preparing Reduction of Sentence Reports in all of these cases, and a Report could easily be prepared and forwarded to Your Honor. Jim Schloetter is handling all of the Reduction Reports, and I have copied him on this letter. His direct line is (415) 436-7573.

It appears that Your Honor set a hearing date of April 22. If the Court would like any further input from me, please let me know. I can be reached by email at Rebecca_Silbert@fd.org, by mail, or by phone at (51) 637-1953.

Respectfully,

BARRY J. PORTMAN
Federal Public Defender

REBECCA SULLIVAN SILBERT
Assistant Federal Public Defender

cc: James Schloetter, United States Probation Officer
Kirstin Ault, AUSA